AMENDMENT TRANSMITTAL LETTER (Large Entity) Docket No. Applicant(s): ROBERT BROOKES et al. 1520A1 Serial No. Filing Date Examiner **Group Art Unit** 09/618,809 July 18, 2000 Eric T. Shaffer 3623 METHOD AND APPARATUS FOR COORDINATING SERVICES Invention; TO THE COMMISSIONER FOR PATENTS: APR 165 2004 Transmitted forewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below. **CLAIMS AS AMENDED** CLAIMS REMAINING HIGHEST # NUMBER EXTRA **ADDITIONAL** RATE AFTER AMENDMENT PREV. PAID FOR CLAIMS PRESENT FEE 0 x **TOTAL CLAIMS** 46 \$18.00 \$0.00 ·6 INDEP. CLAIMS 5 0 lχ \$84.00 \$0.00 1 \$0.00 Multiple Dependent Claims (check if applicable) \$0.00 TOTAL ADDITIONAL FEE FOR THIS AMENDMENT No additional fee is required for amendment. Please charge Deposit Account No. 16-2025 in the amount of \$0.00 A check in the amount of to cover the filing fee is enclosed. The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 16-2025 Any additional filing fees required under 37 C.F.R. 1.16. Any patent application processing fees under 37 CFR 1.17. Millena Dated: **April 8, 2004** Dennis G. Millman I certify that this document and fee is being deposited on April 8, 2004 with the U.S. Postal Service as first class mail under 37C.F.R. 1.8 and is addressed to the Registration No. 26,681 **Attorney for Applicant** for Patents, P.O. Box 1450, ALexandria, VA 22313-1450. PPG INDUSTRIES, INC. One PPG Place

CC:

Pittsburgh, PA

Signature of Person Mailing Correspondence

Kim Law

Typed or Printed Name of Person Mailing Correspondence

In re Application of: Robert Brookes et al.

Serial No. 09/618,809

Filed: July 18, 2000

For: METHOD AND APPARATUS

FOR COORDINATING SERVICES

PATENT APPLICATION

Group Art Unit: 3623

Examiner: Eric T. Shaffer

Atty. Docket No.: 1520A1

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

RESPONSE



This responds to the Office Action dated January 9, 2004.

IMPROPRIETY OF "FINAL" ACTION

The Office Action of January 9, 2004, was designated as being "FINAL." However, the Office Action asserts for the first time a rejection under 35 USC §101 alleging that the claimed invention is non-statutory subject matter. 35 USC §101 had not been cited prior to that Office Action, nor had any issue regarding non-statutory subject matter been raised in any form previous to this Office Action. Making the Office Action final was clearly improper and was presumably inadvertent. Withdrawal of the finality of the Office Action of January 9, 2004, is respectfully requested. It is also requested that a courtesy of a phone call be made to applicants' attorney to confirm that a notice of appeal will not be required.

I hereby certify that this correspondence is being deposited with the United States Postal Service as
first class mail in an envelope addressed to:
Commissioner for Patents, Alexandria, VA 22313-1450
on April 8, 2004 Signature
Kim Law
Typed or Printed Name of Person Signing Certificate